

## MISCELLANEOUS COMMUNICATION

Applicant : Latta, Paul P.  
App. No : 10/660,924  
Filed : September 12, 2003  
For : PREVENTION OF DIABETES  
THROUGH INDUCTION OF  
IMMUNOLOGICAL TOLERANCE  
Examiner : Belyavskiy, Michail A.  
Art Unit : 1644

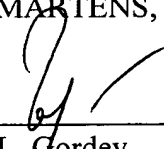
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the Examiner's request in the Office Action of December 16, 2004, regarding the above-identified application, enclosed are courtesy copies of the 30 articles which the Examiner crossed out and which cannot be found with the IDS cited in parent application 09/226,742. Also enclosed for your convenience is a copy of the USPTO stamped IDS filed March 3, 2004 and a copy of the PTO Form 1449 sent with the December 16, 2004 Office Action, which designates the references which were crossed out.

Respectfully submitted,  
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 29, 2005

By:   
Marina L. Gordey  
Registration No. 52,950  
Agent of Record  
Customer No. 20,995  
(805) 547-5580

PATENT



COPY

Case Docket No. LATTA.002C3

Date: March 4, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Paul P. Latta  
Appl. No. : 10/660,924  
Filed : September 12, 2003  
For : INDUCTION OF  
IMMUNOLOGICAL  
TOLERANCE  
Examiner : Unknown  
Group Art Unit : 1632

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 4, 2004

(Date)

Marina L. Gordey, Reg. No. 52,950

TRANSMITTAL LETTER

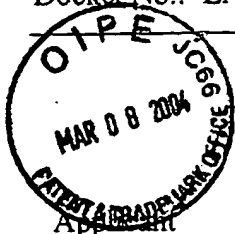
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with fifty (50) references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Marina L. Gordey  
Registration No. 52,950  
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## INFORMATION DISCLOSURE STATEMENT

Applicant : Paul P. Latta  
App. No. : 10/660,924  
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TOLERANCE  
Examiner : Unknown  
Group Art Unit : 1632

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 50 references that are of record in U.S. patent application No. 09/226,742, filed January 7, 1999, which is the parent of this Continuation application, and is relied upon for an earlier filing date under 35 U.S.C. § 120. Copies of the references are not submitted pursuant to 37 C.F.R. § 1.98(d).

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 3, 2004

By: \_\_\_\_\_

Marina L. Gordey  
Registration No. 52,950  
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FORM PTO-1449

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(SEVERAL SHEETS IF NECESSARY)

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## U.S. PATENT DOCUMENTS

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	1.	4,298,002	11/03/81	RONEL et al.			
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	3.	4,378,016	03/29/83	LOEB			
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	14.	5,529,914	06/25/96	HUBBELL et al.			
	15.	5,425,764	06/20/95	FOURNIER et al.			

## FOREIGN PATENT DOCUMENTS

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	16.	A2 0,147,939	10/07/85	EPO				
	17.	A1 2,034,641	28/05/92	CANADA				
	18.	WO 92/19195	12/11/92	PCT				
	19.	WO 95/03062	02/02/95	PCT				
	20.	0 536 807 A1	04/02/87	EP				

## OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

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FORM PTO-1449

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	40. Nossal, G.J.V. "IMMUNOLOGICAL TOLERANCE" in: <i>Fundamental Immunology</i> , Second Edition, edited by W.E. Paul, Raven Press, New York, pp 571-585 (1989)
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	42. Posselt, A.M. et al., "INDUCTION OF DONOR-SPECIFIC UNRESPONSIVENESS BY INTRATHYMIC ISLET TRANSPLANTATION" <i>Science</i> (1990) 249:1293-1295
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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (FILE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. LATTA.002C3	APPLICATION NO. 10/680,924
	APPLICANT PAUL P. LATTA	
	FILING DATE September 12, 2003	GROUP 1632

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	44.	Ricordi, C. et al., "AUTOMATED METHOD FOR ISOLATION OF HUMAN PANCREATIC ISLETS" <i>Diabetes</i> (1988) 37:413-420
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	49.	Tresco, P.A. et al., "POLYMER ENCAPSULATED NEUROTRANSMITTER SECRETING CELLS POTENTIAL TREATMENT FOR PARKINSON'S DISEASE" <i>ASAIO Journal</i> (1992) 38:17-23
	50.	Wong, H. et al., "THE MICROENCAPSULATION OF CELLS WITHIN ALGINATE POLY-L-LYSINE MICROCAPSULES PREPARED WITH THE STANDARD SINGLE STEP DROP TECHNIQUE: HISTOLOGICALLY IDENTIFIED MEMBRANE IMPERFECTIONS AND THE ASSOCIATED GRAFT REJECTION" <i>Biomat., Art. Cells &amp; Immob. Biotech.</i> (1991) 19(4):675-686

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|  | 23. | Bartlett, S.T. et al., "COMPOSITE KIDNEY-ISLET TRANSPLANTATION PREVENTS RECURRENT AUTOIMMUNE BETA-CELL DESTRUCTION" <i>Surgery</i> (1993) 114:211-217                                                                                 |
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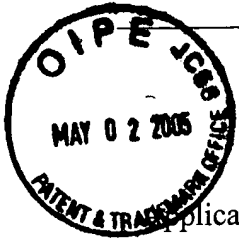


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	47. Tai, I.T. et al., "MICROENCAPSULATION OF RECOMBINANT CELLS: A NEW DELIVERY SYSTEM FOR GENE THERAPY" <i>FASEB J.</i> (1993) 7:1061-1069
	48. Tueveson, G et al., "NEW IMMUNOSUPPRESSANTS: TESTING AND DEVELOPMENT IN ANIMAL MODELS AND THE CLINIC: WITH SPECIAL REFERENCE TO DSG" <i>Immunological Reviews</i> , (1993) 136:99-109
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EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	



## INFORMATION DISCLOSURE STATEMENT

Applicant : Latta, Paul P.  
App. No : 10/660,924  
Filed : September 12, 2003  
For : PREVENTION OF DIABETES  
THROUGH INDUCTION OF  
IMMUNOLOGICAL TOLERANCE  
Examiner : Belyavski, Michail A.  
Art Unit : 1644

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is an Information Disclosure Statement by Applicant (PTO/SB/08 equivalent) listing 7 references to be considered by the Examiner. Also enclosed are 7 foreign patent references and/or non-patent literature as listed on the Information Disclosure Statement.

This Information Disclosure Statement is being filed before the mailing date of a final action and before the mailing date of a Notice of Allowance.

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(2)

I hereby certify that no item of information contained in this Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months days/months prior to the filing of this Information Disclosure Statement.

**Appl. No.** : 10/660,924  
**Filed** : September 12, 2003

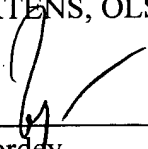
**Docket No.** LATTA.002C3  
**Customer No.** 20,995

Thus, no fee is required as set forth in 37 C.F.R. § 1.97(c).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 29, 2005

By:  \_\_\_\_\_

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1688596:vr  
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Multiple sheets used when necessary)

SHEET 1 OF 1

Application No.	10/660,924
Filing Date	September 12, 2003
First Named Inventor	Latta, Paul P.
Art Unit	1644
Examiner	Belyavskiy, Michail A.
Attorney Docket No.	LATTA.002C3

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>1</sup>

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	1	BINGLEY, P.J. et al. (1994) "Combined analysis of autoantibodies improves production of IDDM in islet cell antibody-positive relatives" Diabetes 43:1304(7).	
	2	BONIFACIO, E. et al. (1995) "Islet autoantibody markers in IDDM: risk assessment strategies yielding high sensitivity" Diabetologia 38:816-822.	
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	6	ZIMMET, P.Z. et al. (1994) "Latent autoimmune diabetes mellitus in adults (LADA): the role of antibodies to glutamic acid decarboxylase in diagnosis and prediction of insulin dependency" Diabetic Medicine 11:299-303.	
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1688567:vr  
042905

Examiner Signature	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

T<sup>1</sup> - Place a check mark in this area when an English language Translation is attached.